



20,  
21

## Planning Commission Staff Report

**TO:** PLANNING COMMISSION

**FROM:** NATHAN WILLIAMS, AICP, SENIOR PLANNER *NW*  
(480) 503-6805, NATHAN.WILLIAMS@GILBERTAZ.GOV

**THROUGH:** CATHERINE LORBEER AICP, PRINCIPAL PLANNER *cl*  
(480) 503-6016, CATHERINE.LORBEER@GILBERTAZ.GOV

**MEETING DATE:** JUNE 6, 2018

**SUBJECT:**

- A. GP18-04, GILBERT CROSSROADS LIGHT INDUSTRIAL: REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROXIMATELY 27.6 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF MUSTANG DRIVE AND GERMANN ROAD FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) LAND USE CLASSIFICATION.
- B. Z18-05, GILBERT CROSSROADS LIGHT INDUSTRIAL: REQUEST TO REZONE APPROXIMATELY 27.6 ACRES OF REAL PROPERTY, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF MUSTANG DRIVE AND GERMANN ROAD FROM BUSINESS PARK (BP) ZONING DISTRICT TO LIGHT INDUSTRIAL (LI) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

<b>STRATEGIC INITIATIVE:</b> Economic Development
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This project would allow for industrial/ employment development within a currently undeveloped property.
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## **RECOMMENDED MOTION**

- A. Move to recommend to Town Council approval of GP18-04, Gilbert Crossroads Light Industrial, a Minor General Plan Amendment; and
- B. For the reasons set forth in the staff report, move to recommend approval to the Town Council for Z18-05 Gilbert Crossroads Light Industrial, as requested, subject to the conditions listed in the staff report.

## **APPLICANT/OWNER**

Company: Burch & Cracchiolo PA  
Name: Ed Bull  
Address: 702 E. Osborn Rd. #200  
Phoenix, AZ 85014  
Phone: 602-234-9913  
Email: ebull@bcattorneys.com

Company: RG Germann, LLC  
Name: Mark Singerman  
Address: 500 Juniper Dr. #300  
Chandler, AZ 85226  
Phone: 623-930-9913  
Email: msingerman@rockgrp.com

## **DISCUSSION**

### **Overview**

The subject site is currently an undeveloped 27.6 acre parcel within the Town of Gilbert. The applicant is requesting a change to the existing General Plan land use classification and associated rezoning from Business Park (BP) to Light Industrial (LI) with a PAD for overall site layout and design, ingress/ egress and associated deviations relating to landscape setbacks on private streets, site screen wall heights and allowing an employment zoned property to provide primary access to a potential residential use to the south. The 27.6 acre site is located within the Gilbert 202 Growth Area as well as the Vertical Development Overlay Zoning District (Area 5).

### **History**

<b>Date</b>	<b>Description</b>
<i>September 25, 2007</i>	Town Council approved A07-39 (Ordinance No. 2020), annexing approximately 53 acres including the subject site.
<i>October 20, 2009</i>	Town Council approved Z09-08 (Ordinance No. 2257), rezoning approximately 46 acres including the subject site from Maricopa County Rural 43 to Town of Gilbert Business Park (BP).
<i>November 12, 2009</i>	The Design Review Board approved DR09-21, for the Rockefeller Group Gilbert Crossroads project consisting of 6 office buildings on approximately 44 acres, including the subject site.
<i>April 4, 2018</i>	The Planning Commission discussed the subject requests, GP18-04 and Z18-05 for the Gilbert Crossroads Light Industrial as a study session item.

**Surrounding Land Use & Zoning Designations:**

	<b>Existing Land Use Classification</b>	<b>Existing Zoning</b>	<b>Existing Use</b>
North	Light Industrial (LI)	Light Industrial (LI)	Heliae facility/ greenhouses
South	Business Park (BP)	Business Park (BP)	Undeveloped
East	Business Park (BP)	Business Park (BP) and Maricopa County Rural 43 (currently unannexed)	Undeveloped
West	Business Park (BP)	Business Park (BP PAD)	Undeveloped
Site	Business Park (BP)	Business Park (BP)	Undeveloped

**Project Data Table**

<b>Site Development Regulations</b>	<b>Required per LDC Light Industrial (LI)</b>	<b>Proposed Development for Rockefeller Gilbert Crossroads (Z18-05) LI PAD</b>
Maximum Building Height	55' / 3-story	55' / 3-story (2-story buildings anticipated)
Minimum Building Setbacks:		
Front – Arterial (north)	30'	30'
Side - Street (east)	20'	20'
Side - Street (west)	20'	20'
Rear – Employment (south)	0'	0'
Rear – Residential (south)	75'	75'
Minimum Required Perimeter Landscape Area		
Front – Arterial (north)	25'	25'
Side - Street (east)	20'	20'
Side - Street (west)	20'	20'
Rear – Employment (south)	5'	5'
Rear – Residential (south)	30'	<b>9' - measured from back of curb of private street</b>
Vehicular Access to Residential Property (LDC – 2.606.E)	Prohibited	<b>Permitted</b>
Building Step-back: Buildings above 2 stories or 35' (LDC 2.604.A)	Required within 100' of Residential Uses	<b>Required within 90' of Residential Uses</b>
Minimum Height of Solid Separation Fence; Required between Light Industrial and Multi-Family Residential Uses (LDC – 4.109.C.2)	8' high (Required on southern property boundary of subject site only)	<b>3'-4' high – As shown on Development Plan: (southern portion of subject site only)</b>

## **GENERAL PLAN**

The 27.6 acre subject site is currently designated for Business Park (BP) land use. The applicant is requesting a change from Business Park (BP) to Light Industrial (LI). Additionally, the subject site is located within the Gilbert 202 Growth Area, which identifies areas that are particularly suitable for multi-modal transportation and infrastructure expansion and improvements designed to support a planned concentration of a variety of uses, such as residential, office, commercial, tourism and industrial uses. The Gilbert 202 Growth Area has a primary focus on general office, business park and industrial uses that have a need for quick freeway access or proximity to other surrounding employment uses. Staff notes that the proposed land use change from BP to LI would remain consistent with the currently anticipated employment uses on the subject site.

The existing Business Park zoning district approved in 2009 was intended for a campus-oriented office complex. According to the applicant, market studies now show that there is a six-year supply of existing office in the area and no new office will be needed for many years, outside of the Rivulon master planned project nearby at the 202/Gilbert Road location. In addition, the depth of the parcel is not attracting a developer who is willing to acquire the entire 45 acre parcel. The applicant's studies show that about half of the property would not have visibility from Germann Road. Several General Plan Goals and Policies support this request:

- Land Use and Growth Areas – Deliver a mix of synergistic land uses that are appropriately located to promote employment opportunities while enhancing Gilbert's quality of life.
- Policy 1.5 – Designate and protect sites for employment uses in appropriate locations to increase the Town's employment base.
- Policy 3.1 – Promote development within Growth Areas where resources and infrastructure are in place or can reasonably be made available.
- Policy 6.2 Provide a mix of land uses within each growth area including varied housing types and densities, employment opportunities and access to retail and commercial centers.
- Policy 5.2 Locate business parks and light industrial uses near arterial/freeway intersections to reduce truck traffic in residential neighborhoods.
- Promote the continued development of a central employment spine along the Loop 202.

The Gilbert Chamber of Commerce has provided a letter of general support (attached) to the requests of GP18-04 and Z18-05, dated May 24, 2018.

Staff is supportive of the proposed general plan amendment under GP18-04.

## **REZONING**

The applicant is requesting a change in zoning for the 27.6 acre subject site generally located at the southeast corner of Mustang Drive and Germann Road from Business Park (BP) zoning district to Light Industrial (LI) zoning district with a Planned Area Development (PAD) overlay to modify minimum landscape setbacks from private streets, as well as separation and screen wall requirements adjacent to anticipated private streets on the subject site. The applicant notes the deviations requested are due to a pending General Plan Amendment and Rezoning (GP18-05

& Z18-06) on the 19.6 acre site directly to the south and would be necessary to provide a cohesive design with shared pedestrian and vehicular connections between the two parcels. Based on the proposed site design, the anticipated development to the south and the proposed use of the private streets to the south and eastern property boundaries, staff finds the proposed deviations would be justifiable.

The conceptual design for the 27.6 acre subject site under Z18-05 would consist of four (4) industrial buildings combining for a total size of approximately 318,000+ sq. ft. of industrial uses, such as office, manufacturing and warehousing. Primary access for the subject site would be at the proposed full motion access point from Germann Road with secondary access from Germann Road, Mustang Drive to the west and private streets to the south and east. The industrial buildings are anticipated for, but not limited to, office, warehouse and manufacturing types of uses. The proposed building orientation demonstrates that the front office portions would face the street to the north and future development to the south, with rear portions of each building being internalized for screening of anticipated loading areas and warehouse access.

Staff notes that the proposed development plan, associated deviations and phasing plan would be approved through PAD zoning for the overall conceptual site design, which includes approximate building location and orientation, parking areas, allowable access points and overall circulation as well as required phasing and improvements to roadways and associated infrastructure for the subject site.

The subject site is currently located within Area 5 of the Town of Gilbert Vertical Development Overlay Zoning District; however, the bonus heights and reduced setbacks do not apply to Light Industrial (LI) zoned property.

#### **Planning Commission Study Session – April 4, 2018**

The Planning Commission noted it was generally supportive of the proposed change in employment uses to light industrial and felt that the proposed multi-family use (pending GP18-05 & Z18-06) to the south provided a nice transition between the proposed light industrial uses and the existing single family residential development in the City of Chandler. The Planning Commission generally noted that they understood the rationale for the proposed deviations in an effort to create a more open feel to the overall development; however, some expressed concerns with the proposed setback deviations requested.

#### **PUBLIC NOTIFICATION AND INPUT**

A notice of public hearing was published in a newspaper of general circulation in the Town, an official notice was posted in all the required public places within the Town and neighborhood notice was provided per the requirements of the Land Development Code Article 5.205.

A neighborhood meeting was held on October 18, 2017 at the Hyatt Place – 3275 S. Market Street in Gilbert. Approximately 15 residents attended the meeting. The residents asked questions regarding the application process and timing; the viability of LI zoning over the existing BP zoning; what would be done to ensure privacy and security for adjacent residents; if the proposed multi-family development would be viable at the proposed location; concerns with

the additional traffic that could be generated by the project and timing of roadway improvements such as Mustang Drive. Developer responses are provided in attached Neighborhood Meeting Summary.

### **SCHOOL DISTRICT**

No comments have been received.

### **PROPOSITION 207**

An agreement to “Waive Claims for Diminution in Value” pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

### **REASONS FOR THE RECOMMENDATION**

1. The proposed zoning amendment conforms to the General Plan as amended, any applicable Specific Area Plan, neighborhood, or other plan and any overlay zoning district.
2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.
4. The proposed rezoning supports the Town’s strategic initiative for Community Livability. It supports the motto “Gilbert: Clean, Safe, Vibrant.”

### **STAFF RECOMMENDATION**

- A. Recommend to the Town Council approval of GP18-04, a request for Minor General Plan Amendment to change the land use classification of approximately 27.6 acres of real property generally located at the southeast corner of Mustang Drive and Germann Road from Business Park (BP) land use classification to Light Industrial (LI) land use classification; and
- B. For the following reasons: the development proposal conforms to the intent of the General Plan and can be appropriately coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval of Z18-05 rezoning approximately 27.6 acres of real property generally located at the southeast corner of Mustang Drive and Germann Road from Business Park (BP) zoning district to Light Industrial (LI) zoning district with a Planned Area Development (PAD) overlay, subject to the following conditions:
  - a. Dedication to Gilbert for Germann Road rights-of-way that are adjacent to the Property shall be completed prior to or at the time of recordation of the final plat or sooner as required by the Town Engineer.

- b. Dedication of Germann Road shall extend 70 feet from the monument line.
- c. Dedication to Gilbert for Mustang Drive right-of-way that is adjacent to the Property shall be completed prior to or at the time of recordation of the final plat or sooner as required by the Town Engineer. Dedication of Mustang Drive shall extend 40 feet from the monument line.
- d. Construction of off-site improvements to Germann Road and Mustang Drive adjacent to the Property shall be completed by the Developer prior to issuance of a certificate of occupancy or final approval of any building constructed on the Property unless a different time for completion is specified in an approved Reimbursement and Lien Agreement. Should Gilbert construct any portion of the improvements required by this ordinance as part of its capital improvements program, Developer shall reimburse Gilbert for its reasonable costs of construction prior to issuance of a certificate of occupancy or final approval of any building constructed on the Property, or in accordance with the approved Reimbursement and Lien Agreement.
- e. Prior to the effective date of this ordinance, Developer shall enter into a Reimbursement and Lien Agreement agreeing that Developer will reimburse Gilbert for the costs of design and construction of off-site improvements required by this ordinance if Gilbert constructs the improvements as part of its capital improvements program. Failure by Developer to execute a Reimbursement and Lien Agreement prior to the effective date of this ordinance may result in reversion of the zoning to the prior zoning classification. If Developer constructs the improvements, Gilbert shall release Developer from its obligations under the Reimbursement and Lien Agreement.
- f. At the written request of Gilbert, Developer shall dedicate all necessary easements for the roadway improvements, including easements for drainage and retention and temporary construction easements. Failure to dedicate said easements within thirty (30) days after the date of Gilbert's written request may result in the reversion of the zoning of the Property to the prior zoning classification.
- g. Developer shall create a Property Owners' Association (POA) for the ownership, maintenance, landscaping, improvements and

preservation of all common areas and open space areas and landscaping within the rights-of-way.

- h. Developer shall record easements to be owned by the POA for pedestrian, bicycle, multi-use or trail system purposes as determined by the final plat, at the time of final plat recordation, or earlier if required by the Town Engineer. In recognition of the modifications to the underlying zoning regulations set forth herein, such easements shall be open to public access and use.
- i. Prior to final plat approval, Developer shall pay for its proportional share of water and sewer mains benefitting the Property, as required by the Town Engineer.
- j. The Project shall be developed in conformance with Gilbert's zoning requirements for the zoning districts and all development shall comply with the Town of Gilbert Land Development Code, except as modified by the following:

Development Standards	Gilbert Crossroads Light Industrial PAD
Building Step-back (LDC Table 2.604.A)	Within 90' of south property line, property designated for residential uses; 1' for every 1' of building height above 2-stories or 35'
Minimum Perimeter Landscape Area (LDC Table 2.604)	9' Rear (South) - measured from back of curb
Perimeter Separation Wall/ Parking Screen Wall (LDC – 4.109.C.2/ 4.2012.A.1(b))	Rear (South) – Minimum 3'-4' solid CMU, berming, landscape or combination thereof
Primary Vehicular Access to Residential Property (2.606.E)	Permitted residential access on north half of the East-West private drive, located on the south property line of subject site, as shown on the Development Plan

- k. The 24' North-South Private Drive on the Silverado Court alignment will remain a private drive unless the Town of Gilbert:
  - 1) provides a traffic study showing there are 1,500+ Average Daily Trips (ADTS) thereon, or
  - 2) acquires from the property owner(s)



to the east the remainder of the property required as determined by the Town to convert this 24' North-South Private Drive into a public street. The Town of Gilbert shall notify the property owner upon satisfaction of either of these two requirements and property owner shall dedicate the 24' North-South Private Drive to the Town as public ROW no later than 60 days from the Town's notification. Upon such dedication, the setbacks along the eastern property line that were compliant with the LDC prior to the dedication shall be deemed legally conforming setbacks.

1. The Project shall be in conformance with the Phasing Plan and Street Cross Sections as approved by the Town Engineer.

Respectfully submitted,



Nathan Williams, AICP  
Senior Planner

**Attachments and Enclosures:**

- 1) Notice of Public Hearing Map
- 2) General Plan Exhibit
- 3) Zoning Exhibit
- 4) Development Plan
- 5) Phasing Plan (2 pages)
- 6) Street Cross Sections
- 7) April 4, 2018 Planning Commission Study Session Meeting Minutes (9 pages)
- 8) Overall Development Plan (reference only)
- 9) Project Narrative (7 pages)
- 10) Gilbert Chamber of Commerce Letter dated May 24, 2018
- 11) Neighborhood Meeting Summary – October 18, 2017 (6 pages)

# Notice of Public

GP18-04, Z18-05 Rockefeller Gilbert Crossroads  
Attachment 1: Notice of Public Hearing  
June 6, 2018

**PLANNING COMMISSION DATE:**

**Wednesday, June 6, 2018\* TIME: 6:00 PM**

**TOWN COUNCIL DATE:**

**Thursday, August 2, 2018 TIME: 6:30 PM**

**LOCATION: Gilbert Municipal Center  
Council Chambers  
50 E. Civic Center Drive  
Gilbert, Arizona 85296**

**\* Call Planning Department to verify date and time: (480) 503-6805**

\* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m. Staff reports are available prior to the meeting at <http://www.gilbertaz.gov/departments/development-services/planning-development/planning-commission> and <http://www.gilbertaz.gov/departments/clerk-s-office/boards-commissions/town-council>

## **REQUESTED ACTION:**

GP18-04: Request for Minor General Plan Amendment to change the land use classification of approximately 27.6 acres of real property generally located at the southeast corner of Mustang Drive and Germann Road from Business Park (BP) land use classification to Light Industrial (LI) land use classification. The effect of this amendment will be to change the plan of development for the property to allow for non-residential development.

Z18-05: Request to rezone approximately 27.6 acres of real property generally located at the southeast corner of Mustang Drive and Germann Road from Town of Gilbert Business Park (BP) zoning district to Town of Gilbert Light Industrial (LI) zoning district with a Planned Area Development Overlay zoning district. The effect of the rezoning will be to permit non-residential/ industrial uses and to modify minimum landscape setbacks, building step-back requirements, primary vehicular access to residential property, perimeter separation wall/ parking screen wall requirements on the subject site.

## **SITE LOCATION:**



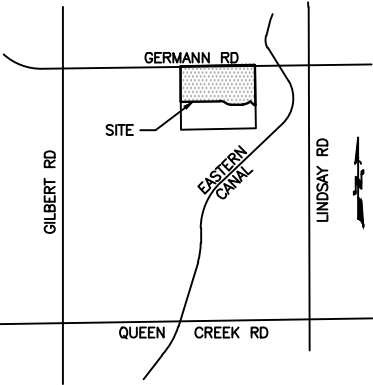
**APPLICANT Burch & Cracchiolo, P.A.**  
**CONTACT: Ed Bull**  
**ADDRESS: 702 E Osborn Rd., Ste. 200**  
**Phoenix, AZ 85014**

**TELEPHONE: (602) 234-9913**  
**E-MAIL: [ebull@bcattorneys.com](mailto:ebull@bcattorneys.com)**



ZONING EXHIBIT  
FOR  
GILBERT CROSSROADS

THE NORTHEAST QUARTER OF SECTION 7, T2S, R6E,  
GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY  
ARIZONA



VICINITY MAP  
NTS

PROJECT DATA

A.P.N.:	304-56-016K
CURRENT LAND USE:	UNDEVELOPED
EXISTING GENERAL PLAN:	BUSINESS PARK (BP)
PROPOSED GENERAL PLAN:	LIGHT INDUSTRIAL (LI)
EXISTING ZONING:	BUSINESS PARK (BP) 100%
PROPOSED ZONING:	LIGHT INDUSTRIAL (LI) 100%
	W/PAD OVERLAY
GROSS AREA:	±27.60 ACRES
NET AREA:	±24.49 ACRES

PROJECT TEAM

**OWNER/APPLICANT**  
RG-GERMANN LLC (OR ASSIGNEE)  
500 N JUNIPER, SUITE 150  
CHANDLER, AZ 85226  
CONTACT: MARK SINGERMAN  
PHONE: 623.930.5082

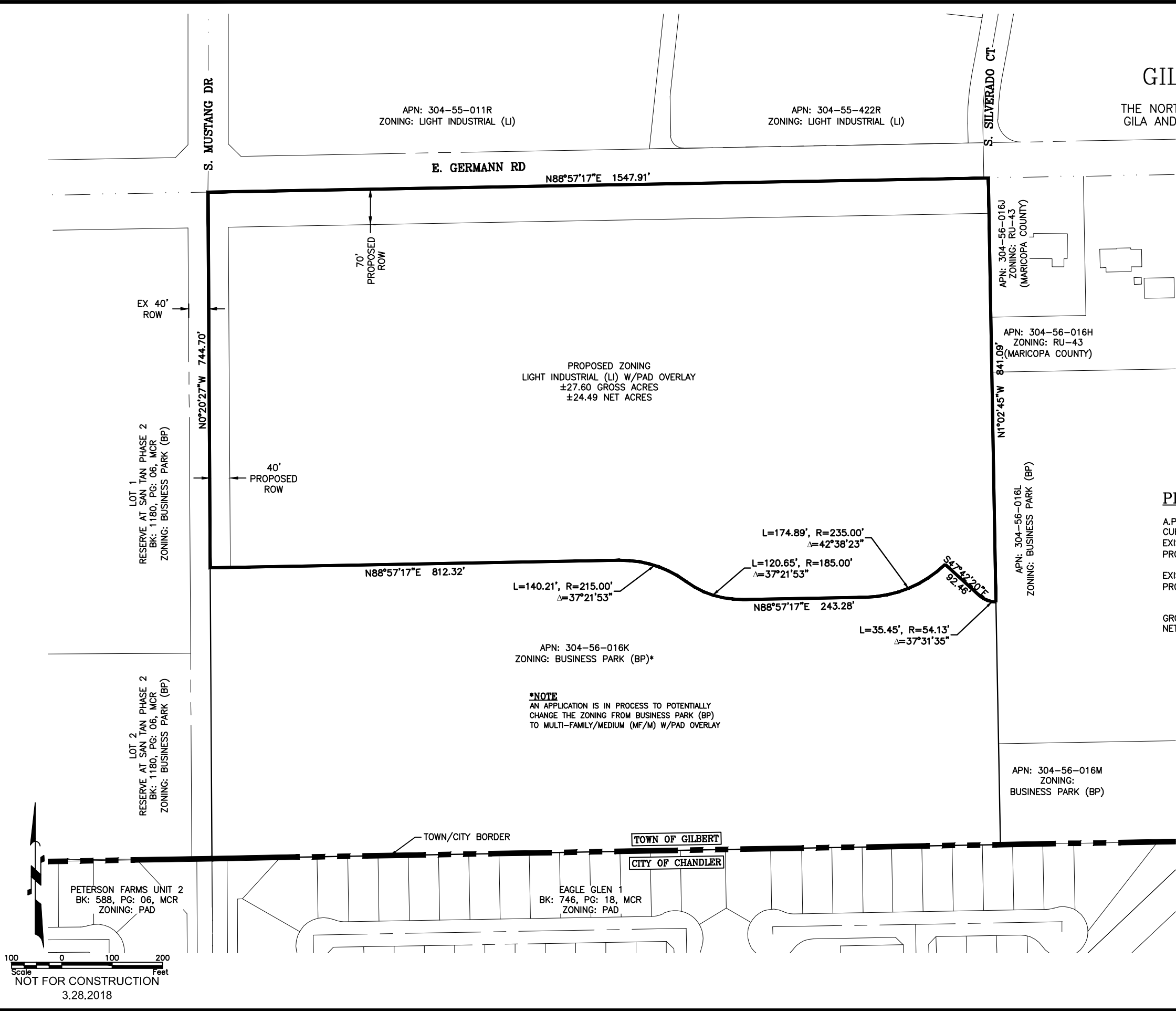
**ARCHITECT**  
WHITNEY BELL PERRY  
575 W CHANDLER BLVD  
CHANDLER, AZ 85225  
CONTACT: MIKE PERRY  
PHONE: 480.812.3816

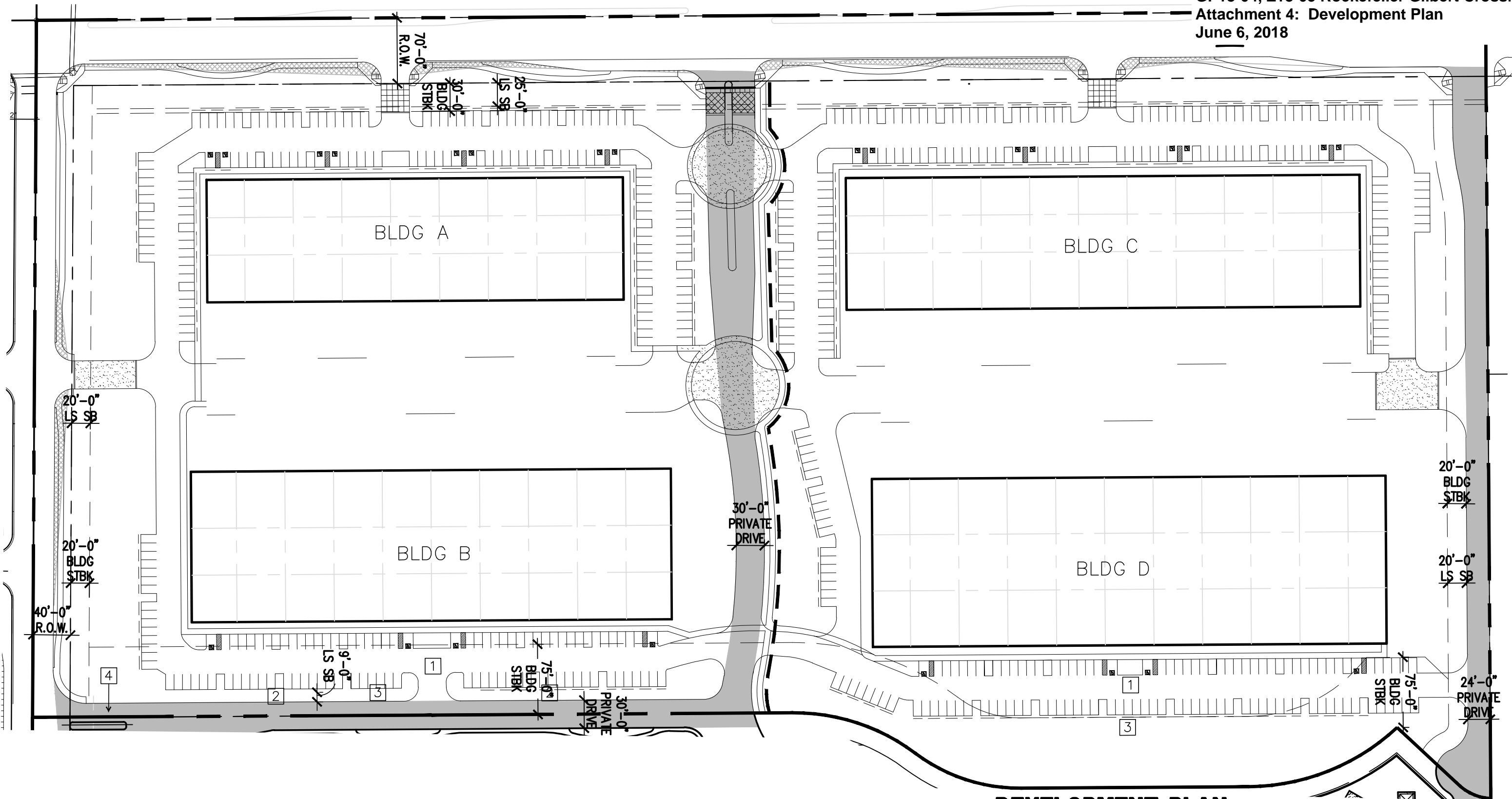
**CIVIL ENGINEER**  
ATWELL  
4700 E SOUTHERN AVE  
MESA, AZ 85206  
CONTACT: JARED GARDNER, PE  
PHONE: 480.218.8831



ZONING EXHIBIT

GILBERT CROSSROADS  
GERMANN RD AND LINDSAY RD  
GILBERT, AZ





LDC Development Standards Deviations Table

	LDC Standard	Rear - South
1	Building Step-Back (2.604.A)	Within 90' of property designated for residential use, 1' for every 1' of building height above 2 stories or 35' feet
2	Min. Perimeter Landscape Area (Table 2.604)	9' measured from back of curb (adjacent to Private Dr.) or Property Line (adjacent to Landscape Area)
3	Parking screen wall & separation fence perimeter wall requirements adjacent to Mutli-Family (4.109.C.2)	Min. 3'-4' screen wall (adjacent to Private Dr.) or min. 3'-4' screen wall, berming or combination thereof (adjacent to Landscape Area)
4	Primary vehicular access to residential property (2.606.E)	Permitted on North half of the East/West Private Dr.

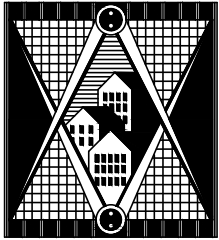
DEVELOPMENT PLAN

SCALE: 1" = 100'-0"

Project Data:

A.P.N.:	304-56-016K
Current Land Use:	Undeveloped
Existing GP:	Business Park (BP)
Proposed GP:	Light Industrial (LI)
Existing Zoning:	Business Park (BP) 100%
Proposed Zoning:	Light Industrial (LI) PAD 100%
Gross Area:	±27.60 Acres
Net Area:	±24.49 Acres

WHITNEYBELL PERRY INC  
ARCHITECTURE & PLANNING



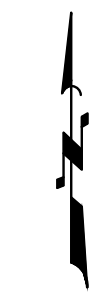
PHOENIX - CHANDLER  
p: 602.265.1891 f: 602.230.8458



1.00

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8 May 2018

PRELIMINARY



Scale

150 0 150 300

Feet

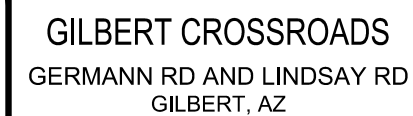
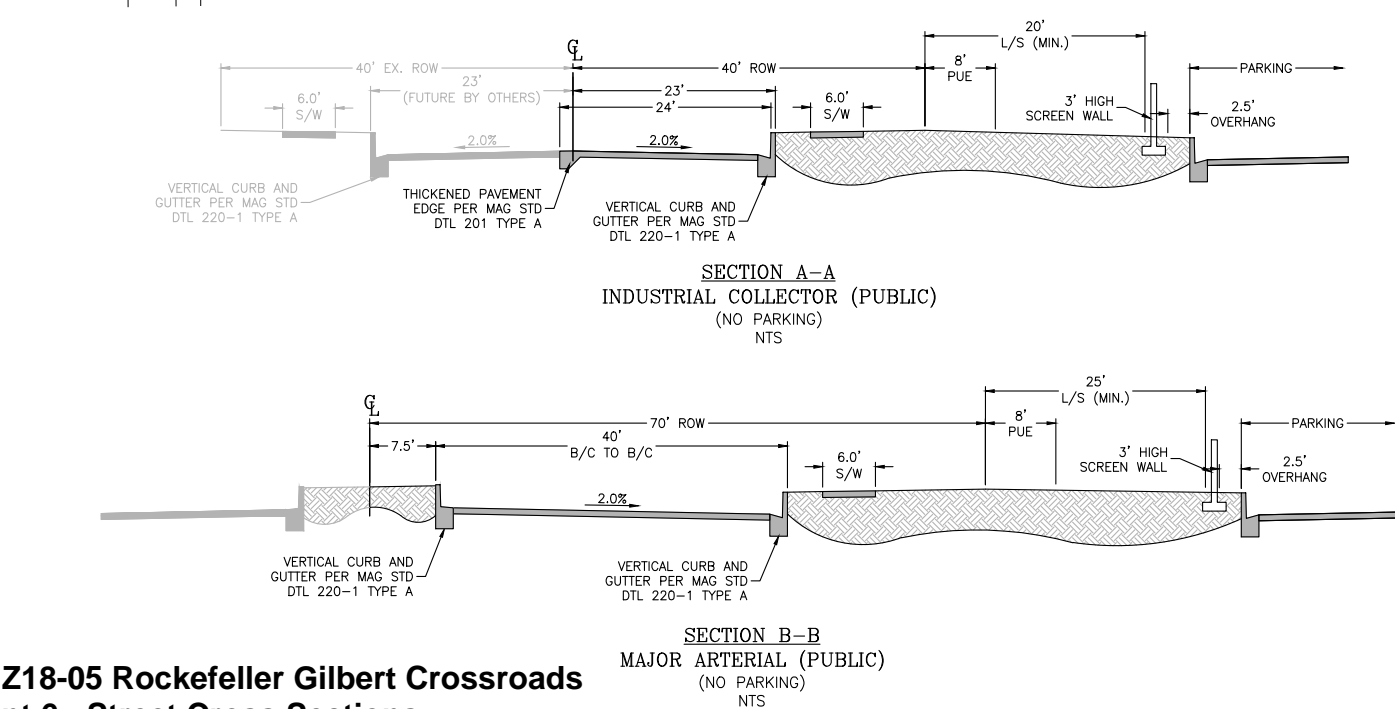
150 300

SCALE 1" = 150'

# GILBERT CROSSROADS PHASING PLAN ALTERNATE A







## PUBLIC STREET & PRIVATE DRIVE CROSS SECTIONS





**TOWN OF GILBERT  
PLANNING COMMISSION STUDY SESSION  
COUNCIL CHAMBERS  
50 E. CIVIC CENTER DRIVE  
GILBERT, AZ  
APRIL 4, 2018**

**COMMISSION PRESENT:** Chairman Kristofer Sippel  
Vice Chairman Brian Andersen  
Commissioner Carl Bloomfield  
Commissioner David Cavenee  
Commissioner Brian Johns  
Alternate Commissioner Seth Banda

**COMMISSION ABSENT:** Commissioner Greg Froehlich  
Commissioner Joshua Oehler  
Alternate Commissioner Daniel Cifuentes

**STAFF PRESENT:** Gilbert Olgin, Planner II  
Keith Newman, Planner II  
Amy Temes, Senior Planner  
Nathan Williams, Senior Planner  
Principal Planner Catherine Lorbeer  
Planning Manager Linda Edwards

**ALSO PRESENT:** Attorney Nancy Davidson  
Council Liaison Brigitte Peterson  
Recorder Debbie Frazey

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**CALL TO ORDER**

Chairman Kristofer Sippel called the April 4, 2018 Study Session of the Planning Commission to order at 5:00 p.m.

- 1. GP18-01, PECOS ROAD GPA: REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROX. 36.60 ACRES OF REAL PROPERTY GENERALLY LOCATED AT SPECTRUM WAY AND PECOS ROAD FROM BUSINESS PARK (BP) LAND USE CLASSIFICATION TO GENERAL COMMERCIAL (GC) LAND USE CLASSIFICATION.**

the landscape requirements on the north side. He acknowledged that it was hard to see with the Landscape Plan, but he said there was a significant amount of shrub material along the north side. He also noted that there is an SRP easement along the north side which inhibits their ability to add additional trees along that frontage. He said due to this, they are having to place the trees closer to the building.

Comment: Seth Banda said he thinks the landscaping looks good and is pretty lush. He said he had noted the presence of the SRP easement.

Response: Keith Newman said he could definitely discuss with the applicant the possibility of taking a look at the landscaping to see if they could do a few things to make it more lush.

Comment: Seth Banda said he thought that would be a good idea, as the north side was his only concern.

Comment/Question: Vice Chair Andersen said that unlike the other Commissioners, he wasn't 100 percent crazy about the architecture. He asked if they were calling the architecture Southwest Missionary.

Answer: Keith Newman said it was Arizona Mission architecture.

Comment: Vice Chair Andersen said he googled a few images of what that architectural style should look like and he said he was only seeing that style in some places, such as the main entrance and in a few details here and there. He said he was most concerned about the strong straight top of parapet line that is divided the edge. He said because it is a dark line, it is really pronounced. He said he would like to see if the applicant would be open to adding some more articulation to the top, especially on the north elevation. He pointed out the entrance area, noting that in the bottom left-hand corner, there was a curved top to it. He said for it to be missionary style, it should have more of those types of elements in it. He said that right now he was seeing more Arizona Institution architecture than he was seeing Arizona Missionary architecture.

Comment: David Cavenee asked to see the north elevation. He said in listening to Commissioner Banda's comments, he took from him that they should try and bring in more of the Santa Fe element along that elevation. He said he agrees with Commissioner Banda that the landscape might be denser, once they see the shrubs, but he thinks some additional enhancements of the architectural pieces could enhance the street view, which will be a prominent view to many neighbors. He said he would encourage the applicant to consider some enhancements.

**3. GP18-04, ROCKEFELLER GILBERT CROSSROADS: REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROXIMATELY 27.6 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF MUSTANG DRIVE AND GERMANN ROAD FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI).**

Town of Gilbert Planning Commission  
Study Session April 4, 2017

**Z18-05, ROCKEFELLER GILBERT CROSSROADS: REQUEST TO REZONE APPROXIMATELY 27.6 ACRES OF REAL PROPERTY, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF MUSTANG DRIVE AND GERMANN ROAD FROM BUSINESS PARK (BP) ZONING DISTRICT TO LIGHT INDUSTRIAL (LI) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

Nathan Williams began his presentation on GP18-04 and Z18-05, Rockefeller Gilbert Crossroads. He shared that the application was for a General Plan Amendment and a Rezoning for 27.6 acres from Business Park (BP) to Light Industrial (LI) with a Planned Area Development (PAD). He said the site was located at the southeast corner of Mustang Drive and Germann Road. He stated that the PAD associated with the site identifies access points, ingress and egress, where full motion would be and overall site design and layout. He said the applicant is requesting some deviations. See Project Data Table below (deviations in **bold**):

**Project Data Table**

<b>Site Development Regulations</b>	<b>Required per LDC Light Industrial (LI)</b>	<b>Proposed Development for Rockefeller Gilbert Crossroads (Z18-05) LI PAD</b>
Maximum Building Height	55' / 3-story	55' / 3-story (2-story buildings anticipated)
Minimum Building Setbacks: (measured from property line/ ROW):		
Front – Arterial (north)	30'	30'
Side - Street (east)	20'	20'
Side - Street (west)	20'	20'
Rear – Employment (south)	0'	0'
Rear – Residential (south)	75'	75'
Minimum Landscape Setbacks (measured from property line/ ROW):		
Front – Arterial (north)	25'	25'
Side - Street (east)	20'	20'
Side - Street (west)	20'	20'
Rear – Employment (south)	5'	5'
Rear – Residential (south)	30'	<b>10' - measured from back of curb of private street</b>
Vehicular Access to Residential Property (LDC – 2.606.E)	Prohibited	<b>Permitted</b>
Building Step-back: Buildings above 2 stories or 35' (LDC 2.604.A)	Required within 100' of Residential Uses	<b>Required within 95' of Residential Uses</b>

Minimum Height of Solid Separation Fence; Required between Light Industrial and Multi-Family Residential Uses (LDC – 4.109.C.2)	8' high (Required on southern property boundary of subject site only)	<b>3'-4' high – As shown on Development Plan: (southern portion of subject site only)</b>
---------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------

Nathan Williams said he would discuss the deviations later in his presentation. He said the applicant desires to create a campus feel on the overall parcel, so the deviations were related to this desire. He pointed out that the site is part of an existing Development Agreement that would be removed from the site. He said that infrastructure improvements and cross sections would be addressed with Rezoning. He shared an aerial map of the Gilbert 202 Growth Area. He said the star indicated the subject site. He said that the Growth Area is part of the Town of Gilbert General Plan, but this is a General Plan Amendment and Rezoning from Business Park (BP) to Light Industrial (LI). He provided some context to what a Growth Area is. He said these areas support a variety of uses including residential, commercial and office use. He said that Staff believes that this change in use would continue to comply with the Growth Area.

Planner Williams provided an enlarged view of the site, noting what is located in the surrounding area. He provided some background and context, stating that the applicant had indicated that the entire parcel (45 acres) has not been easily marketable for an entire piece of property as Business Park, so they would like to pursue a different use. He said the applicant feels that the traditional type of office product allowed in BP is already saturated in the area. He reviewed the Goals and Policies which support this request that were listed in the Staff Report. He said that Staff was in support of the request. He also shared a delineation of the zoning boundary, noting the 27.6 acre parcel, as well as the 19.6 acre parcel to the south (GP18-05 and Z18-06) which he would be discussing next, for a total of 45 acres. He shared a graphic that demonstrated the Development Plan. It identified access points, circulation, building location and building orientation. He said they would like their design to have the office point out to Germann. He noted that to the south there is a private drive that they anticipate. He said that would be a shared access from Mustang into the Light Industrial user and the other Multi-Family proposed user. He said it would be a private street with shared access. He noted that this was one of the proposed deviations. The deviation request would allow residential use to use an employment district for access. He shared a graphic of the Phasing Plan, which showed which infrastructure would go in with the first phase of the development. He shared another graphic that demonstrated what was being requested. He noted the Light Industrial piece to the north. He said a lot of the deviation requests in the Staff Report were related to a 10' landscape setback, measured from back of curb for private street. He said there is potentially a requirement in the Code for a building stepback for industrial buildings within 100' of residential. He said they aren't sure if the building will be 95' or 100' so they will be working that out, but it could be a potential request. Additionally, there would be a deviation to the requirements for separation walls. Planner Williams noted that

normally an 8' separation wall would be required between employment and non-employment uses, such as residential. He said the applicant would like this project to have an integrated feel to it, so they are proposing 3' to 4' screen walls, instead of a separation wall, in an effort to create an open, shared access campus feel.

Planner Williams finished his presentation on GP18-04 and Z18-05, but asked if the Commission would like him to go ahead and discuss Item 4, GP18-05 and Z18-06 before they shared their comments or questions.

Chair Sippel suggested that he go ahead and discuss Item 4, GP18-05 and Z18-06, and the Commission could provide their comments after he finished that presentation.

**4. GP18-05, LIV GILBERT CROSSROADS: REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROXIMATELY 19.6 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF MUSTANG DRIVE AND GERMANN ROAD FROM BUSINESS PARK (BP) TO RESIDENTIAL > 14-25 DU/ACRE LAND USE CLASSIFICATION.**

**Z18-06, LIV GILBERT CROSSROADS: REQUEST TO REZONE APPROXIMATELY 19.6 ACRES OF REAL PROPERTY, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF MUSTANG DRIVE AND GERMANN ROAD FROM BUSINESS PARK (BP) ZONING DISTRICT TO MULTI-FAMILY MEDIUM (MF/M) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

Planner Williams began his presentation on GP18-05 and Z18-06, LIV Gilbert Crossroads. He shared that this request was for a General Plan Amendment for 19.6 acres to go from Business Park (BP) to Residential > 14-25 DU/Acre and a Rezoning from Business Park (BP) to Multi-Family Medium (MF/M) zoning district. He said this request also had deviations that he would discuss later in his presentation. He said they are requesting a PAD for site design, layout and access points. He shared the location of the parcel within the Gilbert 202 Growth Area. He shared the existing uses surrounding the site. He brought up the Growth Area boundaries, noting that these areas are identified for areas of intense development. He said he brings this up because this area of growth doesn't show much in terms of residential development. He stated that the nearest residential was BB Living which was developed a couple of years ago and is a townhome development with approximately 260 units. He said BB Living is the closest Multi-Family development located almost two miles from the subject site. He said that the Development Plan would provide a significant amount of buffering along the south to the existing residential. He said that Staff believes it would be compatible with the Gilbert 202 Growth boundary and they are in support of the project. He shared some reasons that Staff believes this would meet the goals and policies of the General Plan.

Planner Williams shared the Overall Site Plan, which highlighted the Multi-Family component. He said the project would consist of approximately 31 buildings, 2- to 3-story in height, with some single story around the periphery. He shared the Project Data Table (deviation requests highlighted in **bold** below):

**Project Data Table**

<b>Site Development Regulations</b>	<b>Required per LDC Multi-Family/ Medium (MF/M)</b>	<b>Proposed Development for Liv Gilbert Crossroads (Z18-06) MF/M PAD</b>
Minimum Parcel Area (sq. ft.)	20,000 sq. ft.	19.6 acres (853,776 sq. ft.)
Minimum Net Land Area per Unit (sq. ft.)	1,750 sq. ft.	2,335 sq. ft.
Maximum Net Land Area per Unit (sq. ft.)	3,100 sq. ft.	2,335 sq. ft.
Maximum Building Height (ft.)	40'	40'
Minimum Building Setbacks: (measured from property line/ ROW): Front – (north) Side - Street (west) Side – Non-residential (east) Rear – Residential (south)	30' 30' 20' 30'	20'+ 30' 70' - 90' (approx. as shown) 49' (1-story building) 130' (2 & 3-story buildings)
Minimum Building Setbacks: (measured from property line/ ROW): Front – (north) Side - Street (west) Side – Non-residential (east) Rear – Residential (south)	20' 20' 20' 20'	<b>10' - 13' (approx. as shown) measured from back of curb</b> 30' 20' 49'
Separation between Buildings (ft.) – 1-story/ 2-story/ 3-story	20'	20'
Common Open Space (minimum)	40% of net site	47.5% of net site
Building Step-back: (LDC 2.204.A.2)	10' at 3 <sup>rd</sup> floor	<b>No Step-back: 3-story buildings with a minimum setback of 100' from residential uses</b>
Minimum Height of Solid Separation Fence (LDC – 4.109.A.2)	8' high	1) <b>North Property Line: 3'-4' high solid screen wall with 3' of view fencing (proposed)</b> 2) <b>East Property Line: 6' high solid screen wall (proposed)</b> 3) <b>South Property Line: 6' high solid screen wall (existing)</b>

Nathan Williams said that the applicant had received 1st Review Comments from Staff and they were still in the process of figuring out the requested deviations. He indicated that a neighborhood meeting had been held and the residents stated that they did not want to see a direct access from Mustang. He said the applicant desires to create an open feel with view walls and parking screen walls instead of 8' separation walls. He also discussed other deviations. He noted the location of the buildings (shown in yellow), pointing out that they would be 3-story in height. He mentioned that there is some ambiguity in the Code about a required step back between Multi-Family and Residential. He said that the buildings would be approximately 130' from the Single Family Residential to the south. He said there is a 50' irrigation ditch which would be landscaped. He said they would have 1-story garages. He also stated that they desired a 6' wall along the east. He said that the requirement is for an 8' wall. He also noted that there is a 6' wall on the south property line and they would like that wall to remain in place. He shared that there would be 31 buildings of varying heights. He shared the location of the Open Space. He stated that the Development Plan would be similar to this and show where the main access point would be, as well as the secondary egress point along the northeast portion of the site that would coincide with the Light Industrial. He said Item 4 and Item 5 are separate projects and depending on which development was constructed first, there would be a Phasing Plan for the infrastructure.

Chair Sippel thanked Planner Williams for his presentation and called for questions or comments.

Question: David Cavenee asked if Mustang would go between the two parcels.

Answer: Planner Williams said that Mustang was the Collector street.

Question: David Cavenee asked which street was north of the apartments.

Answer: Planner Williams said that it didn't have a name.

Comment/Question: David Cavenee said he was looking at the way the existing streets were and he wanted to caution Staff to work with the applicant to make sure the streets align. He said it didn't look to him like they did align. He also asked where someone would go if they left to the east, because he thought there was a canal nearby.

Response: Nathan Williams noted the Silverado alignment.

Question: David Cavenee asked to clarify that they would pull out around the side.

Answer: Nathan Williams answered affirmatively. He said that Town Traffic has been working with the applicant on the access points, the dimensions and the separation distances, as well as coordinating with the development to the west. He said the access points shown on the Overall Development Plan would be true to form, noting that Town Traffic was comfortable with that.

Comment: David Cavenee said that his initial reaction was that he is pleased to see it done the way that the applicant is proposing it. He said the applicant has had a piece of property that they have struggled to market, so they have rezoned it to something that will act as a nice transition between Single Family and Commercial. He said he thought this was an ideal way to deal with that transition from Single Family to a commercial use. He said he appreciates the way they have done that and he thinks they have done a good job. He said although they have asked for very few deviations, he didn't see the rationale for the setback deviation. He said he would need better rationale or an explanation of why they need a reduced setback, before he would consider the request. He said that without additional rationale, he wouldn't be able to support it.

Comment/Question: Carl Bloomfield thanked Planner Williams for his presentation. He said he wanted to echo what Commissioner Cavenee had said. He thinks it is nice that the Multi-Family is coming in as Multi-Family and not coming in to RC. He said this looks like some of the RC projects they have had come before them, but this project is being done in the way that the Code intended and he appreciates that. He said that he didn't have a problem with a 6' wall to the south, because there is a wide irrigation easement between the two uses. He said the 3-story homes should not be a burden to the neighboring residents on the south. He asked for more clarification on the applicant's desire to have the design be more of an open campus type feel and only have a 2' or 3' wall in between them.

Answer: Nathan Williams shared the location of the primary access for the Multi-Family. He shared the secondary access for the Light Industrial (LI). He said there would be two right-in only access points off of Germann and several into the Light Industrial (LI). He said that per the LDC standards, there has to be a separation wall on the property line. He said that because it was a private street, that would be impossible, so instead of walling off the area with an 8' wall and whatever landscape setback is determined, they desire to have a 3' to 4' solid parking screen wall, with a view fence on top. He said they have indicated that there would be some areas where they would have a 6' wall along the north property line, but he didn't know the exact location. He said they would also have 3' to 4' parking screening walls which are required. He said their desire is to combine the uses and that is what they are trying to achieve with the requested deviations.

Comment: Carl Bloomfield said that Planner Williams' explanation makes complete sense to him.

Comment: Vice Chair Andersen said he was agreeable to the landscape deviations. He said he does believe there is something in the Code that defines 3rd floor setback requirements. He thought it was approximately 100'.

Response: Nathan Williams said that for Light Industrial, the Code specifies 100', but the section of Code for Multi-Family does not provide specifics. He said he wanted to provide clarity that they weren't going to require setbacks for these 3-story buildings, which are 130' away from the property line.



Question: Seth Banda asked how many units the apartment complex would have.

Answer: Nathan Williams said the complex would have 356 units.

**5. DR18-14, MERCY GILBERT MOB II: SITE PLAN, LANDSCAPE, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, COLORS AND MATERIALS FOR APPROXIMATELY 6.21 ACRES, GENERALLY LOCATED NORTHWEST OF MERCY ROAD AND BONANZA COURT AND ZONED PUBLIC FACILITY/INSTITUTIONAL PF/I) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

Amy Temes began her presentation on DR18-14, Mercy Gilbert MOB II. She indicated that the project was located on the Mercy Gilbert campus. She shared an aerial map of the location, noting that the existing Mercy Gilbert MOB I is just northeast of the main hospital location. She stated that she had received permission to show the Commission the Campus Site Plan for the new MOB II and the Women's and Children's Tower that would be coming forward in the near future with the hospital expansion. She shared the Site Plan, noting that the applicant was meeting parking and landscape requirements. She stated that they are providing a trail along the freeway. She also said the project was blending in with the existing landscape within the parking lot and the right-of-way. She shared the Landscape Plan. She said that Staff is continuing to work with the applicant regarding pedestrian connectivity and circulation on the campus, as they will be bringing forward an application for the Women and Children's Tower. She shared the screen walls they were proposing, noting that they were not required to have a full block wall along the freeway because they are not within 300' of the ADOT right-of-way. She said they would be providing view fencing and CMU block walls to secure the site. She said that when sections of the freeway are secure, they have asked that ADOT take down their chain link fence, as part of their freeway beautification.

Planner Temes said she wanted Commission input on the roof-mounted mechanical equipment, the alignment of the roof mechanical screening and the articulation and overall design of the building and how it relates to the Mercy Gilbert Hospital campus. She shared the Color and Materials Board. She said it is in keeping with the monochromatic mission style palette, but it is breaking away somewhat and adding in some gray tones and more metal, than what they have seen in the existing building. She said that it is not necessarily in keeping with the architectural theme of Mission style, though it does have some of the same colors and materials. She said the overall look is a little more modern. She said she wanted feedback as to whether the Commission was agreeable to this change in design. She shared some perspective views and street views of the existing hospital facility. She pointed out that you can see the mechanical screening on the hospital currently, noting that it isn't ideal that the mechanicals are so visible. She said they might want to avoid going down the same route and allowing the mechanicals to be so visible on this design. She shared the elevations, noting the modern, contemporary style of the project. She noted that the metal screening used for the mechanicals was not in use anywhere else on the building. She did note that it was painted to match the gray tones of the building, but



POTENTIAL SITE DATA

SITE ADDRESS:  
SEC MUSTANG DR. & GERMANN RD., GILBE...

LIGHT INDUSTRIAL :  
SITE AREA: 24.49 ACRES NET (1,066,785v S.F.)  
TOTAL BUILDING AREA: 318,177 S.F.(15% OFFICE, 65% MANUFACTURING, 20% WAREHOUSING)  
PARKING REQUIRED: 540 SPACES  
PARKING PROVIDED: 540 SPACES

MULTI-FAMILY :  
SITE AREA: 19.08 ACRES NET (831,303 S.F.)

DWELLING UNITS:

STUDIO	26	07%
1 BEDROOM	188	53%
2 BEDROOM	116	33%
3 BEDROOM	26	07%
TOTAL	356	

DENSITY: 356 UNITS/19.08 ACRES = 18.6 D.U./ ACRE (CL OF PRIVATE RD.)

PARKING:

PARKING REQ'D:	# UNITS	SPACES REQ'D
STUDIO	26 X	1 = 26 P.S.
1 BEDROOM UNITS	188 X	1 = 188 P.S.
2 BEDROOM UNITS	116 X	2 = 232 P.S.
3 BEDROOM UNITS	26 X	2 = 52 P.S.
TOTAL		498 P.S.

UNRES. PARKING: 356 UITS X 0.25 GUESTS = 89 GUEST REQ'D  
TOTAL PARKING: TOTAL REQUIRED PARKING = 587 P.S.

PARKING PROVIDED:

SURFACE	= 172 P.S.
COVERED	= 356 P.S.
GARAGE	= 108 P.S.
TOTAL PARKING SPACES	636 P.S.

PARKING RATIO: 1.78 SPACES / UNIT

ACCESSIBLE PARKING: TOTAL REQUIRED 587 P.S. X2% = 12\* P.S.  
2\* VAN P.S REQ'D

ACCESSIBLE SPACES PROVIDED:

SURFACE	= 3 P.S.
COVERED	= 7 P.S.
GARAGE	= 2 P.S.
TOTAL PARKING SPACES	12 P.S.

COMMON OPEN SPACE:  
COMMON OPEN SPACE ALLOWED: 40% MIN. OF NET SITE  
COMMON OPEN SPACE PROVIDED: 399,717 S.F. / 841,303 S.F. = 47.5%

\* DATA IS PROVIDED HERE AS AN EXAMPLE ONLY AND IS SUBJECT TO CHANGE

LEGEND

- 1 STORY BUILDING
- 2 STORY BUILDING
- 3 STORY BUILDING
- LIGHT INDUSTRIAL BUILDING



GILBERT CROSSROADS

Overall Plan  
(Landsaped)

40' 80'  
plan scale 1:80  
date: 04.18.18

andersonbaron  
plan · design · achieve  
50 n. mcclintock drive, ste 1  
chandler, arizona 85226  
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# Gilbert Crossroads Light Industrial

## General Plan and Rezoning Application Narrative Town of Gilbert, Arizona

Original Submittal: January 24, 2018  
Updated: April 19, 2018

**Applicant's Representatives:**

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Cooper Development Strategies  
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**Applicant:**

RG-Germann LLC  
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Chandler, AZ 85226  
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## I. Introduction

Rockefeller Group Development Corporation (“Rockefeller Group”) is a national owner, developer, and manager of prestigious real estate throughout the United States. The company’s capabilities are broad, having been applied to an array of real estate developments, including corporate headquarters, landmark properties, multi-use urban complexes, multinational distribution facilities, mixed-use suburban business parks, and foreign trade zones. Rockefeller Group has an unparalleled reputation in the real estate field, financial strength, a long history of excellence, and high-quality development standards. Building on their experience, Rockefeller Group is the owner<sup>1</sup> of approximately 27.6 gross acres generally located at the southeast corner of Germann Road and the Mustang Road alignment (between Gilbert and Lindsay Roads, the “Site”). Rockefeller Group seeks to change the entitlements on the Site to allow it to develop as a light industrial development. To achieve this, Rockefeller Group is requesting a minor General Plan Amendment from Business Park (BP) to Light Industrial (LI) and to Rezone the Site from Business Park (BP) to Light Industrial with a PAD Overlay.<sup>2</sup>

The proposed development will contain approximately 320,000 square feet of light industrial space to meet the growing needs of employers seeking to locate in the Gilbert 202 Growth Area. It is anticipated that the development will contain four buildings that will be grouped into two parcels (east and west) and be separated by a well-landscaped private drive that will extend north and south down the center of the project. Each building will have a north-south orientation and include sufficient parking to meet or exceed the Town’s Land Development Code (LDC) requirements. The rear of the buildings will face each other to form a “truck court” to screen loading and unloading activities from Germann Road traffic and the proposed multi-family development to the south. The proposed development will be a strong, viable development for the Town of Gilbert (the “Town”) given its proximity to the Loop 202 and will help the Town achieve its economic development goals for the area.

## II. Site and Surrounding Area

The Site is designated on the Town’s General Plan as Business Park (BP) and is zoned Business Park (BP), having received approval in 2009. The surrounding land use General Plan and zoning designations are:

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<sup>1</sup> The property is owned by RG-GERMANN LLC, a wholly owned subsidiary of Rockefeller Group.

<sup>2</sup> Concurrent with the proposed Rockefeller Group minor General Plan Amendment and Rezoning applications, separate applications were filed by another entity for the approximately 19.6 gross acres south of the Site to amend the General Plan designation from Business Park (BP) to Residential (14-25 du/ac) and to Rezone it from Business Park (BP) to Multi-Family/Medium (MF/M) with a PAD Overlay. Although filed separately, together the applications are dependent and complementary of each other. Approval of the applications will assure that the respective properties are successfully developed to their highest and best use.

Gilbert Crossroads Light Industrial  
Minor GPA and Rezone Narrative

	<b>General Plan Designation</b>	<b>Zoning Category</b>	<b>Existing Use</b>
<b>North</b>	Light Industrial (LI)	LI	Germann Rd., then vacant land and light industrial development
<b>South</b>	Business Park (BP), then Neighborhoods (Chandler)	BP, then PAD Residential (Chandler)	Agriculture then Single-Family residences (Chandler)
<b>West</b>	Business Park (BP)	BP	Vacant land, Office
<b>East</b>	Business Park (BP)	BP Rural-43 (Maricopa County)	Agriculture Single-Family Residence (Maricopa County)

At the time of the 2009 approval, it was anticipated that the BP designation would allow the property to develop in accordance with the campus-oriented nature of the BP designation. Unfortunately, market conditions for BP in the area south of the Loop 202 – Santan Freeway have not allowed the Site to develop as anticipated. The Site's present BP designation/zoning and primary suitability for office development has pitted it against existing, better located office developments in the area. Real estate experts have determined that there is a six-year supply of existing office and flex/office in the area and that no new office or flex/office development will be needed for many years outside of Rivulon, a master-planned mixed used development at the northeast corner of Gilbert Road and the Loop 202 Freeway. The Rivulon project is approved for over 3.1 million square feet of employment uses and has received Town support. Rivulon is positioned to effectively capture nearly all the demand for new BP development for the foreseeable future.

Consistent with these circumstances, actual feedback from potential buyers regarding the Site's development under the BP designation has also been negative. At least two potential developers entered into purchase agreements with Rockefeller Group as recently as 2015 and 2016. Neither acquisition was completed due to the Site's BP designation/zoning incompatibility with the proposed developments.

In addition to the entitlement and market constraints, the size and depth of the overall approximate 45-acre property (of which includes the Site) is a constraint. Rockefeller Group has not been able to attract a developer who is willing and able to acquire the entire approximate 45-acre parcel. Market conditions (expected absorption rates) and the cost of the infrastructure that will be required to develop an approximate 45-acre site have made development under the current BP designation/zoning infeasible.

The Site's depth (greater than 1,200 feet deep) critically impacts the visibility of the southern approximate half of the overall approximate 45-acre site to attract employers. The adjacent BP zoned property to the west, with the same depth as the Site, developed a +/-100,000 square foot speculative flex/office building approximately two (2) years ago on the southern portion of that property that is still vacant.

### III. Compatibility with Elements of the General Plan

Rockefeller Group's requests are supported by the following Goals and Policies of the General Plan:

- **Land Use and Growth Areas, Vision Statement: Deliver a mix of synergistic land uses that are appropriately located to promote employment opportunities while enhancing Gilbert's quality of life.**

**Land Use and Growth Areas, Policy 1.5: Designate and protect sites for employment uses in appropriate locations to increase the Town's employment base.**

As stated earlier, the Site has failed to develop under the BP entitlements based on a variety of constraints. Amending the General Plan and Rezoning the Site to LI will increase the area's attractiveness for an employer, providing additional employment opportunities in the growing Gilbert 202 Growth Area. The proposed changes will also increase the corridor's competitiveness and attract more jobs to the Town.

- **Land Use and Growth Areas, Policy 3.1: Promote development within Growth Areas where resources and infrastructure are in place or can reasonably be made available.** The Site benefits from existing resources and infrastructure that will allow it to develop without extraordinary cost or expense. Utilities located in Germann Road are available for the Site to use.
- **Land Use and Growth Areas, Policy 3.2: Encourage master planned communities with an appropriate commercial, business park, industrial and mixed-use employment centers within large-scale residential areas that reduce automobile trips by encouraging walking, biking and other alternative means of transportation and thus improving air quality. Encourage site designs that minimize the number of conflict points (vehicular/pedestrian/bicycle).**

**Land Use and Growth Areas, Policy 6.2: Provide a mix of land uses within each growth area including varied housing types and densities, employment opportunities and access to retail and commercial centers.**

Additional light industrial uses, when taken together with the proposed multi-family uses (south of the Site) and the existing/planned employment and commercial uses in the immediate area allows the Gilbert 202 Growth Area to provide uses that support one another. In this sense, the surrounding area begins to take on the characteristics of a master planned community with multiple uses, which reduces automobile trips, trip lengths, and the number of vehicles travelling on the arterial street system and encourages walking, biking, and other means of transportation for those living and working in the same area.

- **Land Use and Growth Areas, Policy 5.2: Locate business parks and light industrial uses near arterial/freeway intersections to reduce truck traffic in residential neighborhoods.**

**Land Use and Growth Areas, Policy 6.5: Promote the continued development of a central employment spine along the Loop 202 Santan Freeway.**

The Site's location in the Gilbert 202 Growth Area provides it with convenient access to the Loop 202 Santan Freeway via Gilbert Road (to the west) and the future interchange at Lindsay Road (to the east). Access to the Loop 202 along Germann Road eliminates the need for any truck traffic to go through residential neighborhoods.

- **Land Use and Growth Areas, Policy 5.4: Preserve/reserve acreage for industrial employment uses where appropriate buffers between uses can be retained or created.** The proposed multi-family development south of the Site is consistent with good planning principles, providing higher density housing as a transition from the less intense single-family residential developments on the south to the more intense employment uses planned on the Site. The buffer created by the multi-family development south of the Site preserves and increases the viability of employment uses on the Site, reducing the potential for complaints about the employment uses by the existing, single-family homeowners.

#### IV. Proposed Rezoning

Rockefeller Group requests the Site be zoned LI with a PAD Overlay for a light industrial development. Specifically, Rockefeller Group requests the following LI modifications:

Regulation	Rear - South
1. Building Step-back (2.604.A)	Within 90 ft. of property designated for residential use, 1' for every 1' of building height above 2 stories or 35'.
2. Min. Required Perimeter Landscape Area (Table 2.604)	9' measured from back of curb (adjacent to private drive) or property line (adjacent to landscape area).
3. Parking Screen Wall and Separation Fence Perimeter Wall Requirements Adjacent to Multi-family (4.109.C.2)	Minimum of 3'-4' screen wall (adjacent to private drive) or minimum 3'-4' screen wall, berming or combination thereof (adjacent to landscape area).
4. Primary Vehicular Access to Residential Property (2.606.E)	Permitted on north half of the east/west private drive.

The above modifications are requested due to the unique features of the project and site. The proposed deviations are justified as follows:

1. **Building Step-back (2.604.A)** – The proposed reduction of the building step-back requirement from 100' to 90' is to allow an end-user to make minor modifications to the potential building locations shown on the attached development plan without impacting the developability of the site or the proposed multifamily (MF) project to the south. When

the full width of the private driveway and proposed landscaping on the MF parcel is considered, there is more than 140' feet between Light Industrial Building B and the nearest MF building.

2. **Minimum Required Perimeter Landscape Area (Table 2.604)** – This project is designed to complement the MF project to the south, which has its primary entry where Mustang Dr. intersects with the east/west private drive along a portion of this parcel's southern border. The reduced setback proposed here will invite a sense of live/work vibrancy between the two properties while still maintaining adequate buffering between the uses. The separating east/west private driveway will have 31' of pavement between the curbs, equally split by the light industrial and MF parcels. This distance, coupled with the proposed 9' minimum landscape perimeter area and the additional landscape setback found on the multifamily parcel will provide adequate buffering that is well in excess of the 30' standard in the Land Development Code.

On the east half of the parcel's southern border, where no private drive is planned, a large landscaping and retention area will provide more than adequate buffering between the two projects.

3. **Parking Screen Wall & Separation Fence Perimeter Wall Requirements Adjacent to Multi-family (4.109.C.2)** – In order to avoid redundancy and an unintended effect of a potentially canyon-like feel between this parcel and the proposed MF parcel, the applicant is requesting a deviation to allow a minimum of 3'-4' screen wall (adjacent to private drive) or minimum 3'-4' screen wall, berming or combination thereof (adjacent to landscape area). The reduction in wall height will increase the sense of vibrancy between the LI and MF projects while still providing for required parking lot screening. As stated above, adequate buffering is provided by the private drive and adjacent landscaping.
4. **Primary Vehicular Access to Residential Property (2.606.E)** – Primary access to the proposed multifamily project to the south will be provided from Mustang Dr. across a 31'-wide private driveway centered on the property line between this parcel and the multifamily parcel. Residential traffic utilizing the westbound lane of this private drive will necessarily be accessing Mustang Dr. across the subject property. (See 2.606.E)

## V. Availability of Public Utilities and Services

The Site is in an area of Gilbert that has received substantial public utility investments. All required services (water/wastewater, power, telephone, etc.) are adjacent to the Site. In addition, Germann Road improvements are currently under design as part of Capital Improvement Project ST145. Rockefeller Group has met with the Town's CIP Staff and is working with them to coordinate the necessary improvements along the Germann Road frontage.

## VI. Site Access and Circulation

Access to the Site will occur through the primary entrance off Germann Road. Additional secondary access will occur from Mustang Drive (along the Site's western boundary), the



Silverado alignment (along the Site's eastern boundary), and an east-west private drive along a portion of the Site's southern boundary. Rockefeller Group will install the eastern half of Mustang Drive. CIP ST145 includes installation of a traffic signal at the intersection of Mustang Drive and Germann Road.

Pursuant to discussions with the Town Engineer, Town Attorney and other Staff, the eastern north-south private drive is to be 24' wide and will remain a private drive unless and until either (1) the Town provides a traffic study showing that there are 1,500 or more Average Daily Trips ("ADTs") on that private drive or (2) the Town acquires from the property owner(s) to the east the rest of the right-of-way ("ROW") required by the Town to convert this eastern north-south private drive into a public street. If #1 or #2 are satisfied by the Town, then the Town may request the 24' wide private drive that is shown on the LI Development Plan be dedicated to the Town as public ROW; whereupon, the then-owner of the LI Property will be required to make the dedication. Should #1 or #2 be satisfied and the 24' private drive is dedicated as public ROW, then the LI Property's building, landscape and parking screen wall setbacks along the eastern perimeter of the LI Property that are compliant with the LDC prior to the dedication of ROW shall continue to be deemed and treated as legally conforming setbacks following the dedication of ROW. Such setbacks shall be measured from the western curb of the newly dedicated public street (which would be the same as measuring from the western curb of the currently planned private drive). A Zoning Stipulation confirming the above is to be included in the LI Rezoning Ordinance.

## VII. Fiscal Impact

The proposed light industrial development is anticipated to produce approximately 400 potential jobs.<sup>3</sup> In addition to the potential jobs, a light industrial development provides revenues through construction sales taxes, permitting fees, development impact fees, and consistent lease taxes to the Town every year. In addition, the new employees will produce direct sales tax revenues from added consumer spending. The Chandler Unified School District and other local taxing districts will also see an increase in revenues as new property taxes are generated.

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<sup>3</sup> The estimated number of jobs was derived using the Employment Density – Square Feet Per Job by Building Type contained in the MAG Socioeconomic Projections (2013). A "warehouse" building type is anticipated to have 740 square feet per job; whereas an "industrial" building type is anticipated to have 700 square feet per job.



## MEMO

TO: Town Council  
FROM: Gilbert Chamber Board of Directors  
DATE: May 24, 2018

**RE: Downzoning at SEC Germann/Mustang (GP 18-04, Z18-05, GP18-05, Z18-06)**

The Gilbert Chamber is very careful when reviewing general plan amendment and re-zoning applications that propose to convert any amount of employment land to a residential use. However, there are occasions when we find that such land use changes will support the important goals of business and job growth within Gilbert.

As it relates to GP18-04, Z18-05, GP18-05, and Z18-06, we understand a light industrial developer is in escrow to buy the northern portion of the property and is, pending approval of the above cases, planning to move quickly to seek design review approval for over 300,000 square feet of new light industrial space. We are supportive of these efforts for new industrial uses.

We also understand that a proposed multifamily community is planned behind the industrial development. The developer's representative has explained that multi-family uses are needed to help address certain site challenges and to serve as a buffer to the light industrial project. We understand that some flexibility is needed for a large and deep site like this, and this joint proposal seems to provide solutions that can work for the developer and benefit the Town and neighbors as well.

That said, we are most interested in seeing the light industrial space develop concurrent with or prior to development of the multi-family component. This will ensure that the economic benefits and commitments from the developer being presented become reality. To that end, we support the proposal provided a conditional stipulation is added that ensures construction of the industrial project occurs concurrent with or prior to the development of the multi-family component.

Because we believe the proposed land use changes will speed development of the property and stimulate the construction of much needed spec industrial space, the Gilbert Chamber is supporting GP18-04, Z18-05, GP18-05, and Z18-06 subject to the condition mentioned above.

## Joint Neighborhood Meeting Summary

Applicants: IPA Holding, LLC and RG-Germann LLC

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October 18, 2017, 6:00 to 8:00 p.m.

Hyatt Place Phoenix/Gilbert

3275 S. Market St., Gilbert, AZ 85297

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### Meeting Background

IPA Holding, LLC and RG-Germann LLC intend to file separate, complimentary applications to amend the Gilbert General Plan and to rezone the property (currently owned by RG-Germann LLC) located on the south side of Germann Road between Gilbert Road and Lindsay Road. The parcel's current designation in both the Gilbert General Plan and on Gilbert's official zoning map is Business Park (BP).

RG-Germann will be pursuing a general plan designation of Light Industrial (LI) on the northern 27.6 acres of the property and a rezoning to Light Industrial (LI) on the same property.

IPA Holding, LLC controls the southern 19.61 acres and is pursuing a general plan designation of Residential > 14-25 DUA and a zoning designation of Multifamily Medium (MF/M).

Because of the concurrent and complimentary nature of the above requests, along with the common notification area for both applications, it was determined with Gilbert staff that a joint neighborhood meeting would be the most efficient and productive approach to providing information about both potential cases with the neighbors.

All Town of Gilbert requirements with respect to the posting of the property and the mailing of notifications were followed prior to the meeting (see attached affidavits).

It should be noted that this official neighborhood meeting was preceded by at least three other meetings with neighbors, the most recent of which was an informational presentation by representatives of both applicants at the Eagle Glen HOA meeting held on September 25, 2017 (the Eagle Glen Subdivision is immediately south of the property). At least ten residents attended that meeting. In addition, the applicants' representatives have been in contact with several neighbors over the last few months to provide details and to ask for input and suggestions. The applicants are grateful for the time and ideas given by the neighbors who have been involved to date. The current plans for both projects have incorporated as many of the neighbors' suggestions as possible.

### Meeting Attendance

The applicants were represented by the following individuals: Mark Singerman (RG-Germann LLC), Heidi Arave (IPA Holding, LLC), Ed Bull and Ricki Horowitz (Burch & Cracchiolo), Ben Cooper (Cooper Development Strategies), Mike Perry and Teresa Hill (Whitneybell Perry), and Dawn Cartier (CivTech Inc.).

Fifteen (15) people attended the meeting, including Eagle Glen HOA President Michelle Brinkman. At least three neighbors indicated that they live immediately adjacent to the site. Several others live nearby, while a few of the other attendees live much farther away but had heard about the meeting and wanted to learn more. See attached “Sign-In Sheets.”

Bob Caravona, Senior Planner for the Town of Gilbert, was also in attendance.

### **Meeting Format**

The meeting was held in the hotel’s meeting rooms. Rows of chairs faced about ten easels set up along the front wall of the room. 15-20 exhibits were on display for attendees before, during, and after the meeting.

### **Introductory Presentations**

Ed Bull began with introductions and then gave a presentation which included:

- A brief overview of the project,
- A demonstration of distances and sight lines between various parts of both the light industrial project and the multifamily project, and
- A description of the landscape buffer, wall heights and the plan to remove the dirt berm which currently exists on the RG-Germann LLC property adjacent to the rear wall of the existing single-family residential community.

Heidi Arave then introduced IPA Holding’s brand, “Liv Communities.” Liv Communities are on the high end of the luxury apartment range and offer unparalleled amenities and a resort lifestyle. Liv has very stringent criteria for accepting residents, which include background and credit checks. Average incomes are in line with the higher rents Liv can command due to the quality of its communities. Security is very important to Liv as well. The communities are gated, staffed with security teams, and have high definition cameras throughout. Prospective residents with drug charges or felonies are not accepted. Medical marijuana and smoking are not allowed on the property. Residents who violate community standards, as detailed in their lease, are no longer allowed to remain in Liv communities. Because residents have nearly every amenity imaginable onsite, they do not need to leave the community to utilize the amenities found in surrounding communities. Liv enjoys a resident retention ratio that far exceeds industry averages. Residents are proud to call Liv home.

A short video was then shown with several glowing testimonials from current Liv residents.

Mark Singerman then introduced the parent company of RG-Germann LLC, Rockefeller Group. He detailed the company’s history with the property and the value of having IPA as an applicant on the property. He thanked the neighbors for their input in the previous meetings and described how the current proposals were designed to respond to neighbor requests and concerns. He expressed excitement for the light industrial project and the economic development benefits it would bring to the Town.

### **Resident Questions and Applicant Responses**

After the above presentations, Ed and team then fielded questions, as summarized below:

Question Topic	Applicant Response
<p><i>Architectural/Privacy</i></p> <p>Attendees were interested to learn what steps had been taken to ensure their privacy.</p>	<p>The multifamily site has been designed to protect the privacy of existing residents south of the project.</p> <ol style="list-style-type: none"> <li>1) A 50' wide landscape buffer with trees will be maintained between the back wall of the neighbors and the rear fence of the multifamily project. Access to this area will be restricted to maintenance personnel only.</li> <li>2) The applicant is willing to work with neighbor requests when determining the location of one-story garage buildings, two-story garage-plus-loft units (with clerestory windows), and surface parking spaces (covered and uncovered) along the project's south property line.</li> <li>3) No balconies are on the south side of the three-story apartment buildings.</li> <li>4) Three-story apartment buildings have been oriented so that balconies face east and west only.</li> <li>5) Storage rooms have been placed on the south end of the balconies of the three-story buildings so that there is no view to the south.</li> <li>6) The two-story buildings will have some balconies that face the south but it is anticipated that their views will be limited due to distance and the screening methods described above.</li> </ol>
<p><i>Process/Timing</i></p> <p>Attendees asked about the application process, its timing, and the timing of the development's construction if approved.</p>	<p>It is estimated that the general plan amendment and zoning processes will take several months. Site plan and construction documents will take several more months. The entire process might take approximately a year.</p> <p>Once approved, construction could begin in the 4<sup>th</sup> quarter of 2018, with the multifamily project being built out over approximately 18-months. The light industrial development could occur more rapidly since the buildings are simpler to design and build.</p>

Question Topic	Applicant Response
<i>Land Use</i>	
<p>At least one attendee was interested to know what studies had been done to show that the multifamily project would be successful.</p> <p>A question was asked about the viability of Business Park (BP) on the site.</p>	<p>IPA's investment is anticipated to be over \$46 million and they have not taken the decision lightly. They conducted a thorough gap analysis (demand study) and determined that there is a need for at least 4,000 more multifamily units in the submarket. IPA is confident that its offering will provide a highly desirable choice for the growing number of people who seek a maintenance-free lifestyle in a resort-like environment.</p> <p>Rockefeller has tried since 2009 to attract BP developers to the site. Those who have expressed interest determined that BP was not a fit and that the site was too large/deep to develop with employment uses only.</p>
<i>Transportation/Traffic</i>	
<p>Attendees were interested in learning where the access points would be for the multifamily project as well as the timing and scope of road construction as it relates to both projects. They also were interested in the traffic that would be created by the project and whether traffic calming methods could be employed along Mustang Dr./140<sup>th</sup> St.</p>	<p>The multifamily project will have one primary entrance/exit and one exit-only gate accessing the 30'-wide east-west private drive. There will not be direct access to Mustang Dr./140<sup>th</sup> Street from the multifamily project.</p> <p>The private drives will be built with the Light Industrial project or the multifamily project, whichever comes first.</p> <p>Germann Road is a Gilbert CIP project with construction expected in 2018. The applicant is working with the Town on the timing on its frontage.</p> <p>A signal will be installed at Mustang Dr. and Germann Rd. as soon as it is approved by the Town. The applicant is very interested in having a signal at that intersection.</p> <p>The trip counts expected from the light industrial and multifamily projects are 30-35% lower than what was projected for the Business Park uses when the property was last rezoned. Also, the expected trips will be more spread out throughout the day and create less congestion at peak periods than the uses that are currently approved.</p> <p>The applicant is willing to discuss traffic calming methods but is not aware of what would be allowed by Gilbert on Mustang Dr./140<sup>th</sup> Street.</p>

Question Topic	Applicant Response
<i>Miscellaneous</i>	
Security	IPA provides security on-site, with hours depending upon each community's specific needs. HD cameras and adequate lighting is provided throughout the site. With Liv's amenities open 24 hours a day, Liv residents serve as additional "eyes on the street" to notice and report unusual activity.
Can "buffer" trees be planted adjacent to Eagle Glen's north wall prior to construction?	While trees might be brought in and kept in their boxes during construction they typically can't be planted until construction in the area is complete. However, IPA will explore whether a row of trees can be planted after grading is complete adjacent to Eagle Glen's north wall (between the irrigation ditch and the wall).
What are the limits for hours of operation on LI?	Bob Caravona indicated that he didn't believe the code limited hours of operations. The applicant suggested that CC&Rs can dictate them when it makes sense to do so.
When are the public hearings?	Unknown at this time. Neighbors and meeting attendees will be apprised of hearing dates.
What will happen to the ditch located in the 50' landscape buffer.	It will remain because it is currently needed by another property owner further to the west. Access to the 50' landscape area will be restricted to maintenance crews only.

After the above discussion, the formal meeting was adjourned and attendees were invited to view the exhibit boards and to ask any other questions they had. Most of the questions fielded by the applicants' representatives related to process and timing.

At least one attendee expressed a desire for the property's zoning to remain Business Park (BP) because of fears that multifamily communities attract crime. In response, the applicants' representatives referred to a recent Urban Land Institute (ULI) study showed that multifamily communities typically generate lower per-unit police Calls For Service (CFS) rates than single-family communities. In addition, the applicants' representatives have contacted the Gilbert Police Department to research crime statistics in Town and have found that the idea that multi-family projects generate high crime rates has not been the experience in Gilbert. As an example, no Gilbert multifamily community ranks among the top 10 locations for police CFS. And when multifamily communities are compared, IPA's Liv Northgate (an existing project in Gilbert) is ranked among the lowest for police CFS.

IPA takes safety very seriously and helps prevent crime within its communities by thoroughly screening residents and by providing a clean and secure environment at all times. [The amenities at Liv Communities are open 24 hours a day and residents that use them serve as additional "eyes on the street" to notice unusual activity and help deter crime.](#)

It should also be noted that at one point in the question and answer session, Eagle Glen HOA president Michele Brinkman expressed her gratitude for the way the applicants have worked with her as an individual homeowner over the last few months. She stated that the applicant had done everything she has asked for to make it the best plan possible. She also visited an existing Liv community and even talked to nearby homeowners about what it was like to live next to it. She felt satisfied with their responses and again expressed gratitude for the applicants' willingness to work with her and her neighbors.